

REMARKS

Applicant thanks the Examiner for the thorough consideration given the present application.

It appears that the Examiner did not consider amended claims 1-16, as filed with the application on July 11, 2006, but instead considered non-amended claims 1-18. (See USPTO PAIR entries of July 11, 2006). The Examiner is directed to the attached amended sheets which include amended claims 1-16. Note that these sheets include a USPTO stamp indicating that these amended sheets were received at the USPTO on July 11, 2006.

However, since the Examiner considered non-amended claims 1-18, the claim amendments made by way of this Reply show changes with respect to non-amended claims 1-18.

By way of this Reply, claims 17 and 18 are cancelled herein without prejudice to or disclaimer of the subject matter contained therein. Claims 1-16 are pending. Claims 1, 8-11, 13, 14, and 16 are amended. Independent claim 1 is amended merely to place it in better form. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Allowable Subject Matter

The Examiner states that claims 1-7 are allowed, and that claims 9-17 would be allowable if rewritten in independent form.

Applicant thanks the Examiner for the early indication of allowable subject matter in this application. As noted above, claims 1, 8-11, 13, 14, and 16 have been amended, and claims 17 and 18 have been cancelled, so that each of claims 8-16 now depends directly or indirectly from independent claim 1. Therefore, claims 1-16 are now in condition for allowance.

Examiner Interview

If, during further examination of the present application, a discussion with Applicant's Representative would advance the prosecution of the present application, the Examiner is encouraged to contact Carl T. Thomsen, Registration No. 50,786, at 1-703-208-4030 (direct line) at his convenience.

Drawings

It is gratefully appreciated that the Examiner has accepted the drawings.

Claim for Priority

The Examiner has acknowledged Applicant's claim for foreign priority based on Australian Application No. 2004-900377. However, the Examiner indicates that the certified copy of the priority document has not been received.

For the Examiner's convenience, attached is a copy of the PCT Notification Concerning Submission of Priority Document which indicates that the priority document was submitted to the International Bureau. It is the Applicant's understanding that under Rule 17.2 of the PCT

Regulations, the USPTO should request the priority document (Australian Application 2004-900377) directly from the International Bureau.

Applicant believes that no further action is required by the Applicant.

Information Disclosure Citation

Applicant thanks the Examiner for considering the reference supplied with the Information Disclosure Statement filed on July 11, 2006, and for providing the Applicant with an initialed copy of the PTO form filed herewith.

Objection to the Specification

In response to the objection to the Specification, Applicant has attached a revised Abstract of Disclosure on a separate sheet at the end of this Reply. Accordingly, reconsideration and withdrawal of his objection are respectfully requested.

Rejections under 35 U.S.C. § 103(a)

Claims 8 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Eluchens (U.S. Patent No. 5,524,579), or MacMillan (U.S. Patent No. 5,315,969), or Wallis (U.S. Patent No. 5,526,780).

This rejection is respectfully traversed.

As noted above, claims 1, 8-11, 13, 14 and 16 have been amended and claims 17 and 18 have been cancelled, so that each of claims 8-16 now depends directly or indirectly from independent claim 1. Therefore, claims 1-16 are now in condition for allowance.

At least for the reasons explained above, Applicant respectfully submits that the combination of elements as set forth in each of claims 1-16 is not disclosed or made obvious by the prior art of record, including Eluchens (U.S. Patent No. 5,524,579), or MacMillan (U.S. Patent No. 5,315,969), or Wallis (U.S. Patent No. 5,526,780) or Wallis (U.S. Patent No. 6,763,788).

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are respectfully requested.

CONCLUSION

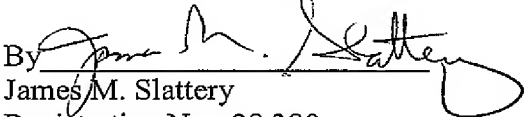
All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 208-4030 (direct line).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.147; particularly, extension of time fees.

Dated: June 2, 2008

Respectfully submitted,

By 

James M. Slattery
Registration No.: 28,380
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant

Attachments:

Abstract of the Disclosure (Revised)

Amended Application Sheets received at the USPTO on July 11, 2006

PCT Notification Concerning Submission of Priority Document (March 21, 2005)